

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/08/2008 has been entered.

### ***Response to Arguments***

Applicant's arguments filed 09/10/2008 have been fully considered but they are not persuasive.

On pages 8-9, Applicant argues that DeLuca does not disclose or teaches away the limitation of "retaining the obtained character information in a way that is overwritten on the oldest retained character information of all of the retained character information."

In response, the Examiner respectfully disagrees. At column 3, line 67 - column 4, line 6, DeLuca states, "if space is not available 52, the last character from the earliest stored, read message is deleted 54 and the character received is stored 53. This process is repeated until the entire message has been received, i.e. a character of the message is not received 51. This process takes the oldest message in the memory and selectively deletes the last characters in that message until the newly received message is stored." According to this passage, DeLuca clearly discloses the new character information (message) is stored in a way that the oldest message is deleted giving

space for the newly received message. And that is called “replaced” or “overwritten.” Although DeLuca describes the process down to the character-level, but in the end, the process still achieves the effect of the new character information is overwritten on the oldest character information. However, the Applicant argues that, according to DeLuca's teachings, “only a part of the earliest stored unprotected message will be deleted.” In this regard, the Examiner respectfully submits that “the oldest retained character information of all of the retained character information” clearly means “the oldest retained character information among all of the retained character information.” This is an irrelevant argument since the requirement of the whole oldest message being deleted or overwritten is not recited in the claim language.

On pages 9-10, Applicant argues that since “Marsh itself has nothing to do with character information, as acknowledged graciously in the final Office Action,” it is submitted, “persons of ordinary skill in the art at the time the invention was made would have been deterred from modifying Marsh” as proposed. In response, the Examiner respectfully submits that, in the previous Office Action, the Examiner did not acknowledge “Marsh itself has nothing to do with character information.” Instead, that was to respond to Applicant's arguments filed 03/27/2008, in which, at page 10, Applicant argues that Marsh also teaches away from the proposed modification by citing Marsh at column 1, lines 62-27. In response to that argument, the Examiner stated that, “the Examiner respectfully disagrees because the cited passage does not have anything to do with retaining character information in a way that it is overwritten over the oldest character information. Instead, Marsh is describing how conventional devices store

recorded programs, not character information recited in the claims.” That response was to point out the fact that the Applicant was erred in asserting “Marsh teaches away from the proposed modification” because, in fact, Marsh does not teaches away from the proposed modification even in the passage quoted by Applicants.

On page 9, Applicant argues Marsh does not disclose, “retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information.” In response, the Examiner respectfully submits that this argument is irrelevant because Marsh is not relied upon to teach this feature.

On page 10, Applicant argues that since Marsh is automatically selecting a candidate program to be recorded, recording content associated with the selected candidate program, and selectively identifying the recorded content within a time-dependent buffer arrangement, Marsh has no need for any scheme of DeLuca’s.” In response, the Examiner respectfully submits that “automatically selecting a candidate program to be recorded, recording content associated with the selected candidate program, and selectively identifying the recorded content within a time-dependent buffer arrangement” does not prove Applicant’s argument that Mars has no need for any scheme of DeLuca’s. In contrast with Applicant's arguments, Marsh does disclose monitoring the character information associated with the program while it is being recorded or after it has been recorded (see column 7, lines 40-61). It is obvious to one of ordinary skill in the art to keep this information, e.g., in a database to keep track of

the records that can be used to determine viewer's preference. Therefore, incorporating the teachings of DeLuca is obviously desirable.

Also on pages 10-13, Applicant argues Marsh is not "searching on the basis of character information of the program related to a scene of the received program on the basis of character information obtained by said information obtaining unit at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during viewing" as recited in the claims. In response, the Examiner respectfully disagrees. At column 5, line 61 – column 6, line 14, Marsh states, "bubbling agent 110 is configured to modify a viewer's profile information and identify candidate programs for recording by observing how the viewer responds to recorded programs ... bubbling agent 110 may recognize that the viewer has never replayed or archived a recorded program of the Late Show With David Letterman ... that bubbling agent 110 may recognize that a viewer appears to like watching Major League Baseball games...". According to this passage, the search request unit makes said program information retaining unit search for the program information of the program related to the received program on the basis of character information retained at the time of: the viewer responding to the programs. The response as described is characterized at least as "watching or never replayed" since the present tense of the sentence viewer appears to like watching Major League Baseball games" clearly indicates that the action is current and not in the past. The logic of this analysis is also supported by the fact that Marsh does disclose monitoring the character information associated with the program while it is being recorded (see column 7, lines 43-45).

Although in the cited passage, it states, "...while it is being recorded," watching a program while it is being recorded is very common practice by most viewers. In that case, the feature of "searching on the basis of character information obtained by said information obtaining unit at the time of receiving" is also disclosed because "if the program is being watched, the viewer must be using an input device to issue a play command. The issuance of such a command corresponds to a notification of an operation of displaying. This cannot be done automatically because, otherwise, automation is using as a measurement of how the viewer responds to the recorded programs. This interpretation does not make sense because an action that is not initiated by the viewer but instead by a machine should not be used as a measurement of how the viewer responds. Also, at column 5, lines 33-38, Marsh states, "if Ms. Roberts were to appear as a guest on the next episode of the Late Show With David Letterman, then intelligent content agent 108 would automatically identify the next episode of the Late Show With David Letterman as a candidate program for recording," which clearly disclose the feature of "searching on the basis of character information of the program related to a scene of the received program.."

At page 10, Applicant argues Arai is not search "on the basis of character information obtained by said information obtaining unit at the time of receiving..." In response, the Examiner respectfully submits that Arai does disclose "on the basis of information obtained by said information obtaining unit at the time of receiving...". At column 13, line 60 – column 14, line 2, Arai states, "[a] viewer of the broadcast receiving apparatus 20, watching the event 11, may operate a remote controller to request a

notice of the next program belonging the same series. In response to this request, the series information managing section 52 reads the event information table of FIG. 2 from the memory storing the program information relating to the event 11. Then, the information of the next event 12, including the program name, the broadcast start/end time, the content etc., is displayed on the TV monitor 26 to allow the viewer to make a reservation of the next program." According to this passage, Arai clearly discloses a user using a remote controller to make a request to reserve a program. This action causes a reading of related program information from an event information table that contains the information shown in Fig. 2 and Fig. 3. For that reason, Arai apparently discloses searching "for the program information of the program related to the received program on the basis of information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program contents during the viewing."

On pages 11 and 14-16, Applicant argues that Logan is not searching "for the program information of the program related to a scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing." In response, the Examiner respectfully disagrees. First, Lohan in [0129] states, "the content which is presented to users is made available to a large number of potential users, and the metadata which describes that programming material is created to aid those users (or particular users) to selectively record and view this programming material" and in [0131], "[t]he metadata may be transmitted with the

programming content.” In other words, the paragraphs cited above provides evidence that the metadata are transmitted concurrently with the original content. Further, during viewing the programming content, the metadata is used to display an electronic program guide (EPG) as described in [0123], which also states, “to provide the user with means for .... by using EPG display to identify and select the program segments with which the newly created metadata is associated.” The means for selecting the program segments corresponds to the input device that is claimed. The selecting of the program segments corresponds to a notification of an operation of displaying. Furthermore, the selected program segments have associated metadata. Again, as described in [0123], these metadata is “used to display an electronic program guide (EPG) for the user which displays in some convenient format information concerning the content of available broadcast programming,” and as described in [0150] and [0151], comprises close caption text, which corresponds to character information.” Since the metadata shows information concerning the content of available broadcast programming, this step is corresponding to “search for the program information of the program related to the received program” [segments] as claimed. Since metadata describes the content of each segment ([0061]), which represents a scene, Logan apparently discloses searching “for the program information of the program related to a scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing.”

On page 14, Applicant argues that Arai does not disclose searching “for the program information of the program related to a scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing.” However, the Examiner respectfully submits that Applicant has erred in claiming the final Office Action graciously acknowledged this in the first full paragraph at page 6 since there is no discussion of Arai teachings at this page of the final Office Action. Further, in contrast with Applicant’s arguments, at column 13, line 60 – column 14, line 2, Arai states, “[a] viewer of the broadcast receiving apparatus 20, watching the event 11, may operate a remote controller to request a notice of the next program belonging the same series. In response to this request, the series information managing section 52 reads the event information table of FIG. 2 from the memory storing the program information relating to the event 11. Then, the information of the next event 12, including the program name, the broadcast start/end time, the content etc., is displayed on the TV monitor 26 to allow the viewer to make a reservation of the next program.” According to this passage, Arai clearly discloses a user using a remote controller to make a request to reserve a program. This action causes a reading of related program information from an event information table that contains the information shown in Fig. 2 and Fig. 3. Also, in Fig. 2, each event is characterized by a start time and end time, which constitutes a scene of the program. For that reason, Arai apparently discloses searching “for the program information of the program related to a scene of the received program on the basis of information retained at the time of



receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing.”

On pages 13 and 15, Applicant argues DeLuca, for its part, is storing messages in a selective call receiver and would have had no use for searching "for the program information of the program related to a scene of the received program on the basis of character information obtained by said information obtaining unit at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing.” In response, the Examiner respectfully disagrees for at least the storage management that retains the information in a way that is overwritten on the oldest retained information is useful in every applications where updating the information is required with storage capacity constraint.

Finally, on pages 16, regarding new claims 25, 26, and 27, Applicant argues that none of the cited references teach, disclose, or suggest “retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit.” In response, the Examiner respectfully disagrees since at least DeLuca discloses this feature as described above.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-3, 9-11, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Marsh (US Patent 6,931,657).**

Regarding claim 1, Marsh a reservation control apparatus, comprising: a search request unit requesting a program information retaining unit (column 6, lines 15-21) retaining program information containing a program broadcast date/time and a content information (column 4, lines 36-47), to search for the program information (column 5, lines 65-67; column 6, lines 1); a reservation request unit requesting a program reservation unit making a reservation of viewing or recoding the program, to reserve viewing or recording the program (column 6, lines 8-14); an information obtaining unit obtaining character information related to the received program from contents of the received program while being received by a program receiving unit (column 5, lines 26-41; column 7, lines 40-61); wherein said search request unit makes said program information retaining unit search for the program information of the program related to a scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing (column 5, lines 64-67; column 6, lines 15-21; also see "Response to Arguments" above), and said reservation request unit makes a request for reserving a receipt of the program or

reserving a record of the program on the basis of the searched program information (column 6, lines 8-14).

Regarding claim 2, Marsh also discloses said information obtaining unit includes a voice recognizing unit converting voices contained in the received program into text data and a text and data analyzing unit converting the text data into the character information and obtains the character information from the voices (column 7, lines 53-61).

Regarding claim 3, Marsh also discloses said information obtaining unit obtains the character information from a caption contained in the received program (column 7, lines 43-46).

Claim 9 is rejected for the same reason as discussed in claim 1 above.

Claim 10 is rejected for the same reason as discussed in claim 2 above.

Claim 11 is rejected for the same reason as discussed in claim 3 above.

Claim 17 is rejected for the same reason as discussed in claim 1 above.

Claim 18 is rejected for the same reason as discussed in claim 2 above.

Claim 19 is rejected for the same reason as discussed in claim 3 above.

**Claims 1-3, 5, 9-11, 13, 17-19, and 21 are rejected 35 U.S.C. 102(e) as being anticipated by Logan (US Pg-Pub 2002/0120925).**

Regarding claim 1, Logan discloses a reservation control apparatus, comprising: a search request unit ([0092]) requesting a program information retaining unit retaining program information containing a program broadcast date/time and a content information ([0087]; [0091]; [0093]), to search for the program information ([0124]); a

reservation request unit requesting a program reservation unit making a reservation of viewing or recoding the program, to reserve viewing or recording the program (see [0262], [0271], [0275]); an information obtaining unit ([0074], [0076]) obtaining character information related to the received program from contents of the received program while being received by a program receiving unit ([0049], [0050], [0051], [0063], [0064]; [0150]); wherein said search request unit makes said program information retaining unit search for the program information of the program related to a scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information retained by said information retaining unit ([0123], [0124]; also see “Response to Arguments” above), and said reservation request unit makes a request for reserving a receipt of the program or reserving a record of the program on the basis of the searched program information (see [0262], [0271], [0275]).

Regarding claim 2, Logan also discloses said information obtaining unit includes a voice recognizing unit converting voices contained in the received program into text data and a text and data analyzing unit converting the text data into the character information and obtains the character information from the voices ([0151]; [0152]; [0153]).

Regarding claim 3, Logan also discloses said information obtaining unit obtains the character information from a caption contained in the received program ([0151]; [0152]; [0153]).

Regarding claim 5, Logan also discloses said information obtaining unit accesses a scenario data retaining unit (see [0087], [0088], and [0124]) retaining scenario data of the program, and obtains information from the scenario data (see [0093]-[0097], [0124]).

Claim 9 is rejected for the same reason as discussed in claim 1 above.

Claim 10 is rejected for the same reason as discussed in claim 2 above.

Claim 11 is rejected for the same reason as discussed in claim 3 above.

Claim 13 is rejected for the same reason as discussed in claim 5 above.

Claim 17 is rejected for the same reason as discussed in claim 1 above.

Claim 18 is rejected for the same reason as discussed in claim 2 above.

Claim 19 is rejected for the same reason as discussed in claim 3 above.

Claim 21 is rejected for the same reason as discussed in claim 5 above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 9-12, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (US Patent 6,751,401) and Marsh (US Patent 6,931,657).**

Regarding claim 1, Arai et al. disclose a reservation control apparatus, comprising: a search request unit (column 13, lines 60-62) requesting a program information retaining unit retaining program information containing a program broadcast

date/time and a content information, to search for the program information (column 13, lines 62-67; column 14, lines 1-2); a reservation request unit requesting a program reservation unit making a reservation of viewing or recoding the program, to reserve viewing or recording the program (column 14, lines 3-17); an information obtaining unit obtaining information related to the received program from contents of the received program while being received by a program receiving unit (column 13, lines 9-15, 52-59); wherein said search request unit makes said program information retaining unit search for the program information of the program related to a scene of the received program on the basis of the information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing (column 13, line 60 – column 14, line 2; also see “Response to Arguments” above), and said reservation request unit makes a request for reserving a receipt of the program or reserving a record of the program on the basis of the searched program information (column 13, line 60 – column 14, line 18).

However, Arai et al. do not disclose the information to be character information.

Marsh discloses the information to be character information (column 7, lines 53-61).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the character information disclosed by Marsh into the reservation control apparatus disclosed by Arai so that the program information can be derived from the closed caption and/or voice of the program. The incorporated feature would make the apparatus more robust and user-friendlier.

Regarding claim 2, Marsh also discloses said information obtaining unit includes a voice recognizing unit converting voices contained in the received program into text data and a text and data analyzing unit converting the text data into the character information and obtains the character information from the voices (column 7, lines 53-61).

Regarding claim 3, Marsh also discloses said information obtaining unit obtains the character information from a caption contained in the received program (column 7, lines 43-46).

Regarding claim 4, Arai et al. also disclose said information obtaining unit obtains the information in a data broadcast multiplexed with a program broadcast (column 2, lines 54-61).

Claim 9 is rejected for the same reason as discussed in claim 1 above.

Claim 10 is rejected for the same reason as discussed in claim 2 above.

Claim 11 is rejected for the same reason as discussed in claim 3 above.

Claim 12 is rejected for the same reason as discussed in claim 4 above.

Claim 17 is rejected for the same reason as discussed in claim 1 above.

Claim 18 is rejected for the same reason as discussed in claim 2 above.

Claim 19 is rejected for the same reason as discussed in claim 3 above.

Claim 20 is rejected for the same reason as discussed in claim 4 above.

**Claims 6-8, 14-16, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan (US Pg-Pub 2002/0120925) as applied to claims 1-3, 5, 9-11, 13, 17-19, 21 above, and further in view of Arai et al. (US Patent 6,751,401).**

Regarding claim 6, see the teachings of Logan as discussed in claim 1 above. Further, Logan also discloses the program information including the scenario data being combined with the programming contents as transmitted to the users (see [0045]).

However, Logan does not disclose the scenario data to be transmitted in multiplexing with the program broadcast.

Arai teaches the program information being multiplexed with program contents (see column 2, lines 56-57, lines 63-67).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the concept of multiplexing the program information with the program contents disclosed by Arai et al. into the concept of transmitting the program information as metadata, which contains the scenario data, in combination with the program contents disclosed by Logan to share common transmission medium or channel.

Regarding claim 7, Logan also discloses the scenario data contain an elapse time since a start of the program and character information describing the program contents at this elapse time (see [0093]-[0097]).

Regarding claim 8, Logan also discloses the scenario data contain an elapse time since the scenario data transmission data/time ([0090]) and character information describing the program contents at this elapse time ([0093]-[0097]).

Claim 14 is rejected for the same reason as discussed in claim 6 above.

Claim 15 is rejected for the same reason as discussed in claim 7 above.

Claim 16 is rejected for the same reason as discussed in claim 8 above.



Claim 22 is rejected for the same reason as discussed in claim 6 above.

Claim 23 is rejected for the same reason as discussed in claim 7 above.

Claim 24 is rejected for the same reason as discussed in claim 8 above.

**Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US Patent 6,931,657) as applied to claims 1-3, 9-11, and 17-19 above, and further in view of DeLuca et al. (US Patent 5,258,739).**

Regarding claim 25, see the teachings of Marsh as discussed in claim 1 above. Further, Marsh also discloses wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information retained by said information retaining unit (column 5, lines 64-67; column 6, lines 15-21; also see "Response to Arguments" above).

However, Marsh does not disclose an information retaining unit retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit.

DeLuca et al. disclose an information retaining unit retaining the character information obtained by an information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the

information retaining unit (column 3, line 57 – column 4, line 6; also see “Response to Arguments” above).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the information retaining unit disclosed by DeLuca et al. into the reservation control unit disclosed by Marsh for storage efficiency by deleting out-of-date data.

Claim 26 is rejected for the same reason as discussed in claim 25 above in further consideration of Marsh also disclosing wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information related to the received program (column 5, lines 64-67; column 6, lines 15-21; also see “Response to Arguments” above).

Claim 27 is rejected for the same reason as discussed in claim 26 above.

**Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan (US Pg-Pub 2002/0120925) as applied to claims 1-3, 5, 9-11, 13, 17-19, and 21 above, and further in view of DeLuca et al. (US Patent 5,258,739).**

Regarding claim 25, see the teachings of Logan as discussed in claim 1 above. Further, Logan also discloses wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the

time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information retained by said information retaining unit ([0123], [0124]; also see “Response to Arguments” above).

However, Logan does not disclose an information retaining unit retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit.

DeLuca et al. disclose an information retaining unit retaining the character information obtained by an information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit (column 3, line 57 – column 4, line 6; also see “Response to Arguments” above).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the information retaining unit disclosed by DeLuca et al. into the reservation control unit disclosed by Logan for storage efficiency by deleting out-of-date data.

Claim 26 is rejected for the same reason as discussed in claim 25 above in further consideration of Logan also disclosing wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an

operation of displaying or reserving the program related to the program content during the viewing in the character information related to the received program ([0123], [0124]; also see “Response to Arguments” above).

Claim 27 is rejected for the same reason as discussed in claim 26 above.

**Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arai et al. (US Patent 6,751,401) and Marsh (US Patent 6,931,657) as applied to claims 1-4, 9-12, and 17-20 above, and further in view of DeLuca et al. (US Patent 5,258,739).**

Regarding claim 25, see the teachings of Arai et al. and Marsh as discussed in claim 1 above. Further, the proposed combination of Arai et al. and Marsh also discloses wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information retained by said information retaining unit (Arai et al., column 13, line 60 – column 14, line 2; also see “Response to Arguments” above; Marsh, column 7, lines 53-61 discloses the information to be character information).

However, the proposed combination of Arai et al. and Marsh does not disclose an information retaining unit retaining the character information obtained by said information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit.

DeLuca et al. disclose an information retaining unit retaining the character information obtained by an information obtaining unit in a way that is overwritten on the oldest retained character information of all of the retained character information in the information retaining unit (column 3, line 57 – column 4, line 6; also see “Response to Arguments” above).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the information retaining unit disclosed by DeLuca et al. into the reservation control unit disclosed by Arai et al. and Marsh for storage efficiency by deleting out-of-date data.

Claim 26 is rejected for the same reason as discussed in claim 25 above in further consideration of the proposed combination of Arai et al. and Marsh also disclosing wherein said search request unit makes said program information retaining unit search for the program information of the program related to the scene of the received program on the basis of character information retained at the time of receiving, from an input device, a notification of an operation of displaying or reserving the program related to the program content during the viewing in the character information related to the received program (Arai et al., column 13, line 60 – column 14, line 2; also see “Response to Arguments” above; Marsh, column 7, lines 53-61 discloses the information to be character information).

Claim 27 is rejected for the same reason as discussed in claim 26 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621